



PUBLIC NOTICE

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**Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554**

**DA 02-1240
May 23, 2002**

**COMMENTS INVITED ON PF.NET NETWORK SERVICES CORP.
APPLICATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS
SERVICES**

Comp. Pol. File No. 587

Comments Due: June 6, 2002

Section 214 Application

Applicant: PF.Net Network Services Corp.

On **May 21, 2002**, **PF.Net Network Services Corp.** (PF.Net or Applicant), located at **2941 Fairview Park Drive, Suite 200, Falls Church, VA 22042** filed an application with the Federal Communications Commission (FCC or Commission), requesting authority under section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue certain of its domestic telecommunications services.

The application indicates that PF.Net seeks authority to disconnect service to circuits which it resells to other telecommunications carriers and enterprise customers. PF.Net states that it seeks discontinuance authority because of deteriorating market economic conditions. Specifically, Applicant explains that due to a weak economy and lack of investment capital in recent months, it has been forced to scale back its business plans to focus its efforts and financial resources on completing construction of its network. PF.Net states that in 2001, it was hopeful that resale of bandwidth and network services would provide a profitable business. That hope has not been fulfilled, and PF.Net states that it cannot financially support the services that are the subject of this application.

According to the application, PF.Net offers private line services, but does not provide local exchange or switched services, and that no local exchange customers will be affected by the proposed discontinuance. PF.Net explains further that it sells long-haul dedicated telecommunications circuits to interexchange carriers (IXCs) and large-volume enterprise customers, who, in turn, may use the circuits for either internal purposes or may provide their own services to other end users. Applicant states that the geographic areas affected are not

specific, but are believed to be nationwide. Applicant also states that this notice affects only interstate resold services. According to the application, all of the services being discontinued are DS-1 and DS-3 circuits, as well as a small number of OC-3c, OC-12c and multiplexing services. PF.Net states that no other services will be discontinued.

PF.Net states that in accordance with Commission rules,¹ on May 21, 2002, it provided written notice to all affected customers in the form of a letter sent by both e-mail and U.S. Mail. Applicant further states that it gave personal informal notice of this impending discontinuance to all of its resale customers prior to sending formal notices on May 21, 2002, and most have already moved their service to other carriers. According to the application, only forty-four (44) customers receive PF.Net's resale services, and Applicant believes that all are arranging to receive uninterrupted service from other carriers.

In accordance with 47 C.F.R. § 63.71(c), the application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this notice, unless the Commission has notified Applicant that the grant will not be automatically effective. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.² Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **June 6, 2002**. Such comments should refer to **Comp. Pol. File No. 587**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. The original and four (4) copies of the comments should be sent to the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Room 6-A207, Washington, DC 20554, Attention: Carmell Weathers. In addition, Comments should be served upon Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

¹ See 47 C.F.R. § 63.71(a)(5)(i).

² See generally 47 C.F.R. §§ 1.1200 - 1.1216.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail at **qualexint@aol.com**.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), cweather@fcc.gov, or Jon Minkoff (202) 418-2353 (voice), jminkoff@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding Section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud

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